

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John H. Oates et al.  
Application No: 10/099,889  
Filing Date: March 14, 2002  
Entitled: WIRELESS COMMUNICATIONS  
SYSTEMS AND METHODS FOR  
DIRECT MEMORY ACCESS AND  
BUFFERING OF DIGITAL  
SIGNALS FOR MULTIPLE USER  
DETECTION

Atty. Docket No: 0102323-00104

Art Unit: 2661

Examiner: Not Yet Assigned

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OFFICE OF PETITIONS

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service Post Office as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

11-15-02

Date of Signature and Mail Deposit

By:

David Powsner  
Reg. No: 31,868

Commissioner for Patents  
Washington, DC 20231

Petition Under 37 C.F.R. §1.47(a)

Dear Sir:

This is a petition under 37 C.F.R. §1.47(a) for filing when an inventor refuses to sign. Filed herewith are (1) a Declaration signed by the available joint inventors with the signature block of the non-signing inventor left blank; and (2) a Declaration of Carolyn R. Marks setting forth the pertinent facts as to the refusal. The last known address of the non-signing inventor is set forth below.

Please charge any fees required for this Petition including, specifically, the fee set forth in 37 C.F.R. 1.17(h), to Deposit Order Account 14-1449. A duplicate of this Petition is filed for that purpose.

12/18/2002 AKELLEY 00000008 141449 10099889

01 FD:1460 130.00 CH

Paul E. Cantrell ("Mr. Cantrell"), whose last known address was 15 Prescott Drive, Chelmsford MA 01863, is one of the twelve joint inventors of the subject matter of the above cited application. As set forth in the accompanying Declaration of Carolyn R. Marks ("Ms. Marks"), Mr. Cantrell has constructively refused to sign the application. The other eleven joint inventors have signed the application and hereby make the application on behalf of themselves and Mr. Cantrell. The Declaration signed by those eleven joint inventors, with a signature block for Mr. Cantrell left blank, is filed herewith.

Referring to the accompanying Declaration of Carolyn R. Marks, a complete copy of the application was sent to Mr. Cantrell on June 18, 2002, along with a Declaration and Power of Attorney for his signature. A letter sent with the application requested that he sign and return it to the responsible attorney. Mr. Cantrell did not.

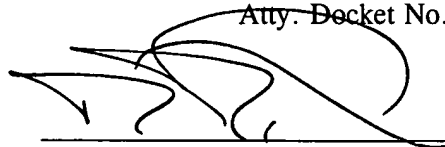
On August 1, 2002, Ms. Marks confirmed, in a telephone conversation with Mr. Cantrell, that he had received the application papers and that he would sign and return them. He said he would. But, he did not.

On August 29 and then, again, on September 6, 2002, Ms. Marks left telephone messages with Mr. Cantrell reminding him that the signed documents had still not been received. Mr. Cantrell did not return those phone calls. Nor did he return the signed documents.

Mr. Cantrell's failure to sign and return the documents and, indeed, to return phone calls regarding same constitutes a constructive refusal to sign per 37 C.F.R. 1.47(a). In view of the Declaration filed herewith (signed by Mr. Cantrell's co-inventors) and the facts laid out in the accompanying Declaration by Ms. Marks, Applicants hereby request that this application go forward on behalf of Mr. Cantrell and his eleven signing co-inventors.

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